

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

MOHAMMAD RIMI, et al.,

Petitioners-Appellants,

v.

BARACK H. OBAMA, et al.,

Respondents-Appellees.

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)
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) Nos. 10-5021
) 14-5231
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APPELLANTS' MOTION TO GOVERN FURTHER PROCEEDINGS

Pursuant to this Court's October 9, 2014 Order, directing the parties to file motions to govern further proceedings in these cases by November 17, 2014, Petitioners-Appellants Mohammad Rimi and his next-friend Omar Deghayes (collectively, "Mr. Rimi"), through undersigned counsel, respectfully file this motion to govern further proceedings.

In large part, the government accurately described the procedural history of these appeals in its Motion to Govern Future Proceedings [Dkt. No. 1522493] ("Gov't Mot. to Govern"). However, the government suggested that Mr. Rimi's arguments were limited to *only* the collateral consequences doctrine. *See* Gov't Mot. to Govern at 1-2. To clarify, Mr. Rimi has argued and continues to argue that his detention in Libya was not merely a collateral consequence of his designation as an "enemy combatant" by the United States government, but at the *direction* of the government. *See, e.g.,* Petrs.'Reply to Appellees' Opp. to Petrs.' Renewed

Mot. to Govern & Hold in Abeyance [Dkt. No. 1377675] at 2 (“Petitioner Rimi remained in the constructive custody of the United States upon the government transferring him to Libya without the removal of his ‘enemy combatant’ designation and without providing prior notice to counsel.”).

Appellants agree with the government that Mr. Rimi’s appeals are ready to proceed. Accordingly, Mr. Rimi also respectfully requests that the Court enter an order setting a briefing schedule for these consolidated appeals.

Date: November 17, 2014

Respectfully submitted,

/s/ John C. Hayes

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 17th day of November, 2014, I caused a copy of the foregoing Motion to Govern Further Proceedings to be filed with the United States Court of Appeals for the District of Columbia Circuit, via its CM/ECF system, which will send notice of such electronic filing to the following counsel for Appellees:

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/s/ John C. Hayes, Jr.
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